

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PFS DISTRIBUTION COMPANY, and  
PILGRIM'S PRIDE CORPORATION,

Plaintiffs,

v.

AFFILIATED FOODS MIDWEST,

Defendant.

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ORDER OF DISMISSAL

The matter before the court is the plaintiffs' unopposed motion to dismiss this case without prejudice, Filing No. 9. The court finds that this matter should be dismissed without prejudice.

IT IS THEREFORE ORDERED that, pursuant to Fed. R. Civ. P. 41(a)(1), the plaintiffs' cause of action against the defendant is hereby dismissed in its entirety, without prejudice, and with the parties to be responsible for their own costs and attorney fees.

DATED this 17th day of February, 2006.

BY THE COURT:

s/ Joseph F. Bataillon  
JOSEPH F. BATAILLON  
United States District Judge